

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

DANIEL B. O'KEEFE, ET AL

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:08cv600-HSO-LRA

STATE FARM FIRE AND CASUALTY COMPANY AND  
MARSHALL J. ELEUTERIUS

DEFENDANTS

**ORDER**

This cause came before the Court for telephonic hearing on September 14, 2009, on Plaintiffs' Motion to Compel Depositions, or, in the Alternative, Motion to Remand [document number 189]; Plaintiffs' Motion to Quash Subpoenas Duces Tecum [document number 196]; Plaintiffs' Motion to Quash [166-2] Subpoena Duces Tecum [document number 197]; and, Plaintiffs' Motion to Quash [169-2] Subpoena Duces Tecum [document number 198]. Also before the Court was Defendants' Motion to Amend the Prior Order [document number 232] regarding the dates for depositions.

Some of the issues contained in these motions were settled by the parties, and these agreements are incorporated in that Order [#251] entered September 25, 2009. These include the Island Center for Women subpoena [165-3]; the Tony Chance and Fountain Group subpoena [165-8, 9]; and, the McQuire Design and Fritz Construction subpoena. The Court has considered the remaining issues set forth in the pleadings, as well as the argument of counsel and the authorities cited, and finds that Plaintiffs' motions are not well advised, and relief will be denied as to the remaining issues contained therein.

Plaintiffs requested the Court to compel the depositions of Juan Guevara and Dan Carrigan. The Court finds that this issue has been considered by other judges in other

Katrina-related cases, and relief was denied. The undersigned finds no material distinction in these rulings, and the motion to compel the depositions [#189] is denied.

Plaintiff sought to quash subpoenas to William F. Buell Inc. [165-2] and Weddings and Event Videographers Association [165-5]. Subject to the limitations Defendant voluntarily made [set forth on page 5, document 228], the motion to quash is denied. The motion to quash the subpoena [166-2] regarding other loans applied for by Plaintiffs is likewise denied.

Defendants have requested that the deadlines regarding depositions be amended, and Plaintiffs do not object. That request is hereby granted, and depositions shall be taken according to the dates set forth in the motion.

IT IS, THEREFORE, ORDERED that Plaintiffs' Motion to Compel [#189] and Plaintiffs' Motions to Quash [#196, 197, 198] are HEREBY DENIED, subject to the Order [#251] previously entered by the Court. Defendants' motion to amend the Court's prior Order [#232] is HEREBY GRANTED.

SO ORDERED, this the 13th day of October, 2009.

/s/ Linda R. Anderson  
UNITED STATES MAGISTRATE JUDGE